S.B.Cr.Misc. Bail App. No. 5041/2007
(Dharam Singh and Anr. Vs. State of Rajasthan)

Date of order : 14/11/2007

HON'BLE MR.H.R.PANWAR, J.

Mr. Kulwant Singh, for the petitioners.

Mr. Ashok Upadhyay, Public Prosecutor.

Heard learned counsel for the petitioners and the Public Prosecutor for the State. Perused the order impugned, challan papers and the statement of the prosecution witnesses.

It is contended by learned counsel for the petitioners that the prosecution witnesses did not support the prosecution case and have turned hostile. This fact has not been disputed by the public prosecutor appearing for the State.

I have carefully gone through the statements of the prosecution witnesses PW-1 to PW-9. Almost all the witnesses have turned hostile and did not support the prosecution case.

In this view of the matter, looking to the facts and circumstances of the case and having considered the oral arguments advanced by both the parties, I think it just and proper to enlarge the accused petitioners on bail.

Accordingly, this bail application filed under Sec. 439 Cr.P.C. is

allowed and it is directed that petitioners Dharam Singh S/o Rud Singh and Ram Dayal S/o Dharam Singh be released on bail in FIR No. 415/07 P.S. Hanumangarh Town, district Hanumangarh provided each of them executes a personal bond for a sum of Rs. 20,000/- with two sound and solvent sureties in the sum of Rs. 10,000/- each to the satisfaction of learned trial court for their appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(H.R.PANWAR), J.

RP